Rao Sahib Dr. T. Verghese *(Chief Medical Officer):* The various forms of vaccine are usually preserved only for a limited period. The manufacturers indicate on the ampules that this serum could be used only for such and such a period.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Can that period be disclosed?

Rao Sahib Dr. T. Verghese *(Chief Medical Officer):* It is marked on the bottles that if it is manufactured in February 1944, they say it can be used until January 1945.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* These are technical matters I admit. We just want to know whether these serums can be preserved for a longer period when they are kept in special chambers?

Rao Sahib Dr. T. Verghese *(Chief Medical Officer):* We preserve these in refrigerators. But to preserve this serum longer than the period indicated is not advisable, because manufacturers have been telling us that this serum should not be used after the expiry of the period.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* Realising the handicaps we are labouring under we would like to know whether the Government contemplate taking any serious measures to get these serum prepared locally, if possible?

Roa Sahib Dr. T. Verghese *(Chief Medical Officer):* Local manufacture is not possible.

Demand put and carried.

Legislative Business—Government Bills

The Cochin Port Roads Control Act (Amendment) Bill

Mr. M. Sivarama Menon *(Advocate-General):* I beg to move that the Cochin Port Roads Control Act (Amendment) Bill be taken up and finally passed.

Mr. I. Madhava Panicker *(Joint Secretary to Government):* I second it.

Mr. A. B. Salem *(Mattancheri):* I rise to oppose the third reading of the Bill at this stage and for valid reasons, I hope, that will be accepted by the House. This is a measure intended to levy 4 annas per ton on food grains and an enhanced rate of 7 annas for other articles that are landed and taken from the terminus station in the harbour. Apart from my objection to the whole amount of this money going into the administration of the port instead of it coming to the treasury of our State, this is an impost upon all articles which falls upon the consumer. This is a very serious matter and I don't know whether it will not defeat the purpose they have in view. If you impose these levies upon articles landed at the Harbour, what you are doing, is you are coming into competition with the other landing places where these imposts are non-existing. At Calicut articles will be landed and importers who bring them will save 4 annas a ton and 7 annas a ton and more. Therefore, if in the calculation of the merchant or the importer there is a gain to him, then all articles that come by train into the harbour to use the Port roads and articles coming by steamer which could be landed at Calicut pier, would all go there. Therefore, the volume of trade here is likely to go down while it will increase in the competing ports. This is a great danger to the income of the port itself. Similarly articles coming here, except during the monsoon when facilities are very much more here than at other places, at other times, when these come, and when landing will not be difficult at Trivandrum or Quilon or Alleppy, articles will be landed there because they can save 4 annas or 7 annas a ton. Therefore, whether it is feasible, whether this House can be a party for the dwindling of the trade here is a matter for the consideration of this House. I am not an importer but only a consumer and I will have to pay 4 annas excess on the limited portion of the article that I will be consuming. There is no personal grievance for me whatsoever. We will all pay, contributing 4 annas that the merchant pays. It certainly will not be paid by the merchant. He will put on the article a greater price. The difficulty is the Port road.

Again, Sir, I remember, during one of the Finance Member's speeches in ancient days one Finance Member saying that after the port is completed we will have money in cart-loads. The expression was that there will be so much money here, that we will not know where to keep it. In such exaggerated way, a rosy coloured picture was drawn. But now you say you want even this levy to make the Port roads give a compensation! Why should Port roads alone give you a compensation? You have already spent over it Government money, people's money, public money. It is giving you a return, a very happy return! Why do you want further money to be brought in, I cannot understand, and that at the expense of the consumer of the goods and at the risk of the volume of trade going down by this impost. Therefore, I am constrained to oppose this measure. I only supported you yesterday for other reasons. There is an idea that the port jurisdiction is going away from our hands altogether.

Mr. M. Sivarama Menon *(Advocate-General):* There can be no such idea.

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Mr. A. B. Salem *(Mattancheri):* There is an idea at least among the Public at large that port jurisdiction is a particular kind of jurisdiction into which the share of Cochin is dwindling every minute. It may be wrong. Therefore, I thought that the idea of bringing a Port Roads Bill here would be giving us some more jurisdiction upon the matter. Therefore, I heartily supported you yesterday on the principles of the Bill because that will be establishing our jurisdiction more and more. I asked a question to the Government why the Port roads are closed once a year when other roads are not closed. There must be some reason for such action. You cannot close a public road on any day of the year. But the Port road is being closed. What for! We do not want to discuss it here. That is a matter of jurisdiction. Similarly, yesterday, the Port Roads Bill has given us some jurisdiction. Therefore, I heartily supported it. On the merits of the question whether we should allow this impost or this measure to go through simply because for the time being money is no consideration for anybody there may be differences of opinion. People are willing to give money, but people want foodstuffs and other things. Therefore, anybody will pay any amount now. Whatever be the impost you levy now will not be objected to. But when normal time comes this will be felt. Persons have been trading in rice for the mere gain of getting an empty sack after emptying grains out of it, as their profit. To that merchant you add four annas more per ton. It will have a very detrimental effect on the trade of the port. Whether these matters have been pointedly considered by the Advisory Board attached to the Harbour and Port Administration, I do not know. Whatever it be, if they have come to that conclusion, I, for one, have thought over it and I cannot agree with them. It will certainly be detrimental to the interests of the facilities which attract trade into Mattancheri as a distributing centre. The facilities we have here are very great, because grains come just to the door of the godowns of the merchants. As a distributing centre this is one of the best places in South India or the whole of India. Even in Bombay we have not got these facilities for the goods to come right to the door of the godowns of the merchants. All these facilities we are taking away now, one by one, and if you add this additional impost I do not know where you are going to be. Therefore, I cannot myself agree to the rushing through of this Bill. I would request the government not to rush through it, but deeply consider it further, refer it back to the Advisory Committee and also think over the matter and not rush through. With these few words I cannot support the bill at this reading.

Mr. V. K. Bhaskara Menon *(Cranganur):* Sir, I oppose this Bill. The reason why I oppose the Bill at this stage is that I committed a mistake yesterday in not attending to the arguments advanced by the Advocate-General when he introduced the bill. But today on matuer consideration and more careful perusal of the bill I find that there are certain peculiar features which compel me to oppose this Bill. Normally in this House whenever any Bill is brought forward by the Government the one reason why such a Bill is introduced is such a Bill has found a place in the Madras Statute Book and as such ought to find a place here. In the statement of objects and reasons of this particular Bill one does not find that unique certificate appended and so I wanted to know whether there are further reasons in the objects and reasons why such a Bill is introduced and there what I find is this. "It is found necessary to amend the Act for the purpose of statutorily providing such levy". That, Sir, is the normal thing in all levies. If the Government want to introduce a new taxation there should be a Statute. That is no argument at all. My friend the Hon'ble Member for Mattancheri has been pressing ths fact that if there are new levies upon goods, the normal result would be that the trade would be diverted and even if it is not diverted the consumer will be materially affected. I very strongly support that argument and unless there are better arguments forthcoming my submission to the House is that the non-officials as a block should vote against the measure and see that it does not become law.

Mr. M. Sivarama Menon *(Advocate-General):* The objections raised to the passage of the Bill at this stage are not well founded. It is a matter of common knowledge that the customs, the Revenues derived by the Port of Aleppey are pooled along with the revenue customs of the Cochin Harbour. The question as to whether this impost will in any way prejudice the trade of the Port of Cochin has been seriously considered. You know that Cochin is a Major port and with regard to all Major ports there will be a common policy. Nobody would try to kill the goose that lays the golden eggs. Now in a case where a new levy is sought to be made upon any goods it will be the primary consideration of the Port Authority to see whether the goods that are landed can bear the charge consistently with the interests of the port. If the Port Administration find that as a matter of fact by the imposition of any levy trade will be diverted to Calicut or to any other place, the port will never impose such a levy. It is not to the interest of the port

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to divert the trade at all. It is in the interests of the port to attract as much trade as possible and regard being had to the necessity of making provisions for affording adequate facilities for the transport, handling of goods, the port has spent large amounts. You cannot land goods in the open backwaters. But for the facilities provided by the port, the goods will have to be taken into lighters from the ships and then landed at the shore by the lighters. This means extra expenditure by way of landing charges which will fall on the consumer. This landing cost is considerable and will be heavier than the way now proposed to work direct landing of the goods into the Willingdon Island. All facilities for such direct landing have been provided and good roads have also been laid out. As a matter of fact this levy will not be a sufficient compensation for the capital expenditure incurred for making the facilities. What little return is expected will have to be utilised for the maintenance of these facilities.

Khan Sahib Ismail Hajee Essa Sait *(Nominated):* What is the present port charge they are collecting ?

Mr. M. Sivarama Menon *(Advocate-General):* For that there are Schedules. I have not got the landing and shipping rates with me.

The rates proposed have been subjected to expert scrutiny and then again you will, as a matter of fact, find that they have been examined by the Harbour Advisory Committee. The Harbour Advisory Committee consists of representatives of the Indian Chamber of Commerce and the Cochin Chamber of Commerce as well. The rates are adopted after discussion. I was present at the meeting of the Harbour Advisory Committee as a representative of this Government at the time when these rates were considered and there was no protest from interested quaters in regard to the levy of this fees, as better convenience has been afforded to land and take away or take in the goods very easily and speedily. This is beneficial to the trader and the consumer. Now, the one major thing about which this House ought to be assured is, would the Port Advisory Committee which is a very responsible body containing representatives of all the three Governments be killing the trade of the Port ? By the mere impost of 7 annas and 4 annas, Mr. Salem said, that trade is going to be killed. Without any statistics before you, are you going to condemn the action that has been unanimously adopted at the instance of the three Governments and in the presence of both the Chambers of Commerce ? It is purely an imaginative argument. I can assure this Houe that this is a levy which is certainly necessary and highly necessary too for the maintenance of these extra facilities and this question has been very seriously considered and has been examined by all the three Governments. There is absolutely no reason why there should be any doubt in the minds of the House on the reasonableness of this amending Bill. I can assure this House that these points have been well-considered by the Harbour Authorities and by the Advisory Committee. The Port roads are in Cochin Territory and the Cochin Government thought that any levy in the nature of toll should have the legislative sanction of this House.

Mr. A. B. Salem *(Mattancheri):* May I know Sir, whether it is not spent from the funds of the Government ?

Mr. President: Order, order. He did not interrupt you when you were speaking.

Mr. M. Sivarama Menon *(Advocate-General):* The roads have been constructed at the cost of the Port and not of this Government who is only one of the three partners. This Government therefore legalised and authorised the levy of fees for the use of the Port roads. That position has been conceded by this House and it is only in furtherance of that principle that this Amendment Bill has been placed before this House. I never expected that in a matter of this nature where a small fee is sought to be levied on the tonnage basis upon certain goods which enjoy the benefit of the extra facilities there will be any objection raised by this House. Do you mean to say that ships would come and land goods here free of freight and other charges for the benefit of the consumer? Formerly they had to incur very heavy charges. Goods had to be landed in Lighters or Thonies and taken to the shore and then landed. Now by these good facilities, there is a saving in the total charges which will benefit the consumer. I am even of opinion that the entire landing of goods ought to be taken up by the Port. Otherwise it is detrimental to the interests of the consumer. Heavy charges which where being levied my private agents for landing and taking in of goods can now be saved to the extent of the capacity of the facilities provided by the Port. The Port is not going to kill itself. I therefore request every member of this House to vote whole-heartedly for this Bill.

Mr. T. S. Ramachandra Ayyar *(ChitturRural):* May I know Sir, whether the other Major ports of Bombay, Karachi, or Calcutta, make these special levies ?

Mr. M. Sivarama Menon *(Advocate-General):* For the extra facilities given by every port, they are realising fees. Otherwise the ports cannot be financially solvent. Before arriving

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at a decision we considered fully as to how our total charges compare with the total charges in Madras, Bombay, and so on.

Mr. C. V. Iyyu *(Kunnamkulam):* On a point of information. May I know whether the Alleppey Port authorities as well as the Calicut Port authorities have been competing with our Port?

Mr. M. Sivarama Menon *(Advocate-General):* In the matter of the apprehended competition, the Port Administration will take care to see by slow degrees that our interests are safeguarded and it is with that prime consideration in view that we impose only such rates as would be acceptable to the merchants and the consumers.

Mr. C. V. Iyyu *(Kunnamkulam):* May I know whether the S.I.R. has reduced the tonnage rates from Calicut to Coimbatore and other eastern districts? Is it lower than the rates from Cochin to Shoranur?

Mr. M. Sivarama Menon *(Advocate General):* The agent of the S.I.R. is also a representive on the Committee. Whenever any such discrimination prejudices this Port, pressure is brought to bear on the Railway Administration.

Motion put and carried

Mr. A. B. Salem *(Mattancheri):* Poll, Sir.

Ayes

1. Mrs. K. Joshua
2. Mr. A. V. Moothedan
3. „ K. Ashtamoorthi Nambudiripad
4. „ C. K. Nayar
5. „ T. S. Ramachandra Ayyar
6. „ P. Kumaran Ezhuthassan
7. „ K. Narayana Menon
8. „ K. Kunhirama Menon
9. „ M. Krishna Menon
10. „ Ephraim Ouseph
11. „ T. P. Poulose
12. „ Joseph Pettah
13. Rao Sahib K. Ayyappan
14. Mr. K. M. Ibrahim
15. „ K. S. Panicker
16. „ A. T. Kunhipalu
17. „ C. V. Iyyu
18. „ K. R. Ramakrishnan
19. „ K. J. Thomas
20. „ K. R. Achyutan
21. „ K. T. Achyutan
22. Mr. P. P. Devassy
23. „ N. V. Subbarayan Chettiar
24. „ N. Govinda Pai
25. „ H. J. Walmesley
26. „ Shabdai S. Koder
27. „ V. K. Kutty
28. „ P. K. Krishnan
29. „ P. V. Raphael
30. Rao Sahib I. N. Menon
31. Mr. V. K. Aravindaksha Menon
32. „ A. Madhava Prabhu
33. „ B. V. K. Menon
34. „ T. K. Nayar
35. Rao Sahib Dr. T. Verghese
36. Mr. M. Sivarama Menon
37. „ I. Madhava Panicker
38. „ C. J. Mathew
39. „ S. Venkiteswaran
40. Rao Sahib M. M. Paul
41. Khan Sahib Y. Muhammad Roshan Sahib Bahadur
42. Mr. C. J. Luiz

Noes

1. Mr. A. B. Salem
2. „ P. Narayana Menon
3. „ V. K. Bhaskara Menon

Mr. President: 42 against 3. The motion is carried.

The Cochin Panchayat Bill

Mr. T. K. Nayar *(Minister for Rural Development):* Sir, I rise to move that the Cochin Panchayats Bill be read in Council. The Panchayat system, as Hon'ble Members are aware, had its nucleus in one of the boons granted by His Highness the gracious Maharaja in the year 1088 and the prime object of the system was to decentralise the administrative activities of Government over village life by giving the villagers a hand in the handling of local affairs. Though the existing Village Panchayat Act, passed more than a quarter of a century age, provides for the exercise by the Panchayats of very wide powers, the Panchayats are not in actual practice exercising or allowed to exercise powers sufficient to ensure the objects originally aimed at. Till the passing of the Village Courts Act, the main work that some of these Village Panchayats were discharging was judicial and now with the constitution of separate Village Courts, the Panchayats have been relieved of a large part of the work they were attending to and it behoves on Government to utilise their services for the furtherance of the activities of Government in rural areas.

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